
**PRELIMINARY DRAFT
No. 3471**

**PREPARED BY
LEGISLATIVE SERVICES AGENCY
2004 GENERAL ASSEMBLY**

DIGEST

Citations Affected: IC 14-8-2; IC 14-24-4.5.

Synopsis: Pest control compact. Adopts the pest control compact. Establishes procedures to obtain funds from the pest control insurance fund. Makes technical corrections.

Effective: July 1, 2004.



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-8-2-49.2 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2004]: **Sec. 49.2. "Compact", for purposes of IC 14-24-4.5, has**
4 **the meaning set forth in IC 14-24-4.5-2(8).**

5 SECTION 2. IC 14-8-2-86.5 IS ADDED TO THE INDIANA CODE
6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2004]: **Sec. 86.5. "Executive committee", for purposes of**
8 **IC 14-24-4.5, has the meaning set forth in IC 14-24-4.5-2(7).**

9 SECTION 3. IC 14-8-2-107, AS AMENDED BY P.L.186-2003,
10 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2004]: Sec. 107. "Fund" has the following meaning:

12 (1) For purposes of IC 14-9-5, the meaning set forth in
13 IC 14-9-5-1.

14 (2) For purposes of IC 14-9-8-21, the meaning set forth in
15 IC 14-9-8-21.

16 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
17 IC 14-9-8-21.5.

18 (4) For purposes of IC 14-9-9, the meaning set forth in
19 IC 14-9-9-3.

20 (5) For purposes of IC 14-12-1, the meaning set forth in
21 IC 14-12-1-1.

22 (6) For purposes of IC 14-12-2, the meaning set forth in
23 IC 14-12-2-2.

24 (7) For purposes of IC 14-12-3, the meaning set forth in
25 IC 14-12-3-2.

26 (8) For purposes of IC 14-13-1, the meaning set forth in
27 IC 14-13-1-2.

28 (9) For purposes of IC 14-13-2, the meaning set forth in
29 IC 14-13-2-3.

30 (10) For purposes of IC 14-16-1, the meaning set forth in
31 IC 14-16-1-30.



- 1 (11) For purposes of IC 14-19-8, the meaning set forth in
- 2 IC 14-19-8-1.
- 3 (12) For purposes of IC 14-20-1, the meaning set forth in
- 4 IC 14-20-1-3.
- 5 (13) For purposes of IC 14-20-11, the meaning set forth in
- 6 IC 14-20-11-2.
- 7 (14) For purposes of IC 14-22-3, the meaning set forth in
- 8 IC 14-22-3-1.
- 9 (15) For purposes of IC 14-22-4, the meaning set forth in
- 10 IC 14-22-4-1.
- 11 (16) For purposes of IC 14-22-5, the meaning set forth in
- 12 IC 14-22-5-1.
- 13 (17) For purposes of IC 14-22-8, the meaning set forth in
- 14 IC 14-22-8-1.
- 15 (18) For purposes of IC 14-22-34, the meaning set forth in
- 16 IC 14-22-34-2.
- 17 (19) For purposes of IC 14-23-3, the meaning set forth in
- 18 IC 14-23-3-1.
- 19 (20) For purposes of ~~IC 14-23-8~~, **IC 14-24-4.5**, the meaning set
- 20 forth in ~~IC 14-23-8-1~~; **IC 14-24-4.5-2(5)**.
- 21 (21) For purposes of IC 14-25-2-4, the meaning set forth in
- 22 IC 14-25-2-4.
- 23 (22) For purposes of IC 14-25-10, the meaning set forth in
- 24 IC 14-25-10-1.
- 25 (23) For purposes of IC 14-25-11-19, the meaning set forth in
- 26 IC 14-25-11-19.
- 27 (24) For purposes of IC 14-25.5, the meaning set forth in
- 28 IC 14-25.5-1-3.
- 29 (25) For purposes of IC 14-28-5, the meaning set forth in
- 30 IC 14-28-5-2.
- 31 (26) For purposes of IC 14-31-2, the meaning set forth in
- 32 IC 14-31-2-5.
- 33 (27) For purposes of IC 14-25-12, the meaning set forth in
- 34 IC 14-25-12-1.
- 35 (28) For purposes of IC 14-33-14, the meaning set forth in
- 36 IC 14-33-14-3.
- 37 (29) For purposes of IC 14-33-21, the meaning set forth in
- 38 IC 14-33-21-1.
- 39 (30) For purposes of IC 14-34-6-15, the meaning set forth in
- 40 IC 14-34-6-15.
- 41 (31) For purposes of IC 14-34-14, the meaning set forth in
- 42 IC 14-34-14-1.
- 43 (32) For purposes of IC 14-37-10, the meaning set forth in
- 44 IC 14-37-10-1.

45 SECTION 4. IC 14-8-2-117 IS AMENDED TO READ AS
46 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 117. "Governing board"



has the following meaning:

(1) For purposes of IC 14-24-4.5, the meaning set forth in IC 14-24-4.5-2(6).

(2) For purposes of IC 14-28-5, ~~has~~ the meaning set forth in IC 14-28-5-3.

SECTION 5. IC 14-8-2-203 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 203. "Pest or pathogen" has the following meaning:

(1) Except as provided in IC 14-24-4.5, for purposes of IC 14-24, means: ~~an~~

(1) (A) an arthropod;

(2) (B) a nematode;

(3) (C) a microorganism;

(4) (D) a fungus;

(5) (E) a parasitic plant;

(6) (F) a mollusk;

(7) (G) a plant disease; or

(8) (H) an exotic weed;

that may be injurious to nursery stock, agricultural crops, other vegetation, or bees.

(2) For purposes of IC 14-24-4.5, the meaning set forth in IC 14-24-4.5-2(4).

SECTION 6. IC 14-8-2-239.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 239.5. "Requesting state", for purposes of IC 14-24-4.5, has the meaning set forth in IC 14-24-4.5-2(2).

SECTION 7. IC 14-8-2-242.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 242.5. "Responding state", for purposes of IC 14-24-4.5, has the meaning set forth in IC 14-24-4.5-2(3).

SECTION 8. IC 14-8-2-265 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 265. "State" has the following meaning:

(1) For purposes of IC 14-24-4.5, the meaning set forth in IC 14-24-4.5-2(1).

(2) For purposes of IC 14-28-1, IC 14-28-3, and IC 14-32, means the following:

(1) (A) The Indiana state government.

(2) (B) An agency, a subdivision, an officer, a board, a bureau, a commission, a department, a division, or an instrumentality of the state.

SECTION 9. IC 14-24-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]:



Chapter 4.5. Pest Control Compact

Sec. 1. (a) The pest control compact is enacted and entered into with all other jurisdictions legally joining the compact in the form substantially as follows in this chapter.

(b) The party states find the following:

(1) In the absence of the higher degree of cooperation among the party states possible under this compact, the annual loss of approximately one hundred thirty-seven billion dollars (\$137,000,000,000) from the depredations of pests is virtually certain to continue, if not to increase.

(2) Because of the varying climatic, geographic, and economic factors, each state may be affected differently by particular species of pests; however all states share the inability to protect themselves fully against the pests that present serious dangers.

(3) The migratory character of pest infestations makes it necessary for states to complement each other's activities when faced with conditions of infestation and reinfestation.

(4) While every state is seriously affected by a substantial number of pests, and every state is susceptible to infestation by many species of pests not causing damage to its crops and plant life and products, the fact that relatively few species of pests present equal danger to or are of interest to all states makes the establishment and operation of a fund from which individual states may obtain financial support for pest control programs of benefit to them in other states and to which they may contribute in accordance with their relative interest, the most equitable means of financing cooperative pest eradication and control programs. [NOTE: This subdivision needs tabulation.]

Sec. 2. As used in this chapter:

(1) "State" means a state, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(2) "Requesting state" means a state that invokes the procedures of the compact to secure the undertaking or intensification of measures to control or eradicate one (1) or more pests within one (1) or more other states.

(3) "Responding state" means a state requested to undertake or intensify the measures referred to in subdivision (2).

(4) "Pest or pathogen" means an invertebrate animal, a pathogen, a parasitic plant, or a similar or an allied organism that can cause disease or damage in any crop, tree, shrub, grass, or other plant of substantial value.

(5) "Fund" means the pest control insurance fund established by section 3 of this chapter.



(6) "Governing board" means the administrators of the compact representing all the party states when the administrators act as a body under authority vested in the administrators by the compact.

(7) "Executive committee" means the committee established under section 5(e) of this chapter.

(8) "Compact" refers to the pest control compact adopted under section 1(a) of this chapter.

Sec. 3. The pest control insurance fund is established to finance other than normal pest control operations that states may be called upon to engage in under the compact. The fund consists of money appropriated to it by the party states and any donations and grants accepted by it. All appropriations, except as conditioned by the rights and obligations of party states expressly set forth in the compact, must be unconditional and may not be restricted by the appropriating state to use in the control of any specified pest or pests. Donations and grants may be conditional or unconditional, however, the fund may not accept any donation or grant whose terms are inconsistent with the compact.

Sec. 4. (a) The fund shall be administered by the governing board and executive committee as provided in this chapter. The actions of the governing board and the executive committee under the compact are considered the actions of the fund.

(b) The members of the governing board are entitled to one (1) vote on the board. Action of the governing board is not binding unless taken at a meeting at which a majority of the total number of votes on the governing board is cast in favor of the proposed action. Action of the governing board may be only at a meeting at which a majority of the members is present.

(c) The fund shall have a seal that may be employed as an official symbol and that may be affixed to documents and used as the governing board provides.

(d) The governing board shall elect annually, from among its members, a chairman, a vice chairman, a secretary, and a treasurer. The chairman may not serve consecutive terms. The governing board may appoint an executive director and fix the executive director's duties and compensation, if any. The executive director shall serve at the pleasure of the governing board. The governing board shall provide for the bonding of the officers and employees of the fund as is appropriate.

(e) Irrespective of the civil service, personnel, or other merit system laws of any of the party states, the executive director, or if there is not an executive director, the chairman, in accordance with the procedures the bylaws provide, shall appoint, remove, or discharge any personnel as is necessary to perform the functions of the fund and shall fix the duties and compensation of any



1 personnel. The governing board in its bylaws shall provide for the
2 personnel policies and programs of the fund.

3 (f) The fund may borrow, accept, or contract for the services of
4 personnel from any state, the United States, or any other
5 governmental agency or from any person, firm, association, or
6 corporation.

7 (g) The fund may accept for any of its purposes or functions
8 under this compact any donations, grants, equipment, supplies,
9 materials, and services, conditional or otherwise, from any state,
10 the United States, or any other governmental agency, or from any
11 person, firm, association, or corporation and may receive, use, and
12 dispose of the same. Any donation, gift, or grant accepted by the
13 governing board under this subsection or services borrowed under
14 subsection (f) shall be reported in the annual report of the fund.
15 The annual report must include the nature, amount, and
16 conditions, if any, of the donation, gift, grant, or services borrowed
17 and the identity of the donor or lender.

18 (h) The governing board shall adopt bylaws for the conduct of
19 the business of the fund and may amend and rescind these bylaws.
20 The fund shall publish its bylaws in convenient form and shall file
21 a copy of the bylaws and a copy of any amendment to the bylaws
22 with the appropriate agency or officer in each of the party states.

23 (i) The fund annually shall make to the governor and legislature
24 of each party state a report covering the fund's activities for the
25 preceding year. The fund may make additional reports it considers
26 desirable.

27 (j) The fund may do other things as are necessary and incidental
28 to the conduct of its affairs under the compact.

29 Sec. 5. (a) Each party state must have a compact administrator
30 who shall be selected and serve in a manner as the laws of the party
31 state may provide and who shall:

32 (1) assist in the coordination of activities under the compact
33 in the compact administrator's state; and

34 (2) represent the compact administrator's state on the
35 governing board of the fund.

36 (b) If the laws of the United States specifically provide, or if an
37 administrative provision is made within the federal government,
38 the United States may be represented on the governing board by
39 not more than three (3) representatives. Any representative of the
40 United States shall be appointed and serve in a manner as provided
41 by federal law, but such a representative may vote on the
42 governing board or the executive committee.

43 (c) The governing board shall meet at least once each year to
44 determine policies and procedures in the administration of the
45 fund and, consistent with the compact, supervising and giving
46 direction to the expenditure of money from the fund. Additional



meetings of the governing board shall be held on call of the chairman, the executive committee, or a majority of the governing board.

(d) When the governing board meets, it shall act upon applications for assistance from the fund and authorize disbursements from the fund. When the governing board is not meeting, the executive committee shall act as agent of the governing board, with full authority to act for it in acting upon the applications for assistance.

(e) The executive committee consists of the chairman of the governing board and four (4) additional members of the governing board chosen by the governing board so that there is one (1) member representing each of four (4) geographic groupings of party states. The governing board shall make the geographic groupings. If there is representation of the United States on the governing board, one (1) United States representative may meet with the executive committee. The chairman of the governing board shall be chairman of the executive committee. No action of the executive committee is binding unless taken at a meeting at which at least four (4) members of the committee are present and vote in favor of the action. Necessary expenses of each of the five (5) members of the executive committee incurred in attending meetings of the committee, when not held at the same time and place as a meeting of the governing board, are charges against the fund.

Sec. 6. (a) Each party state pledges to each other party state that it will employ its best efforts to eradicate, or control within the strictest practicable limits, all pests or pathogens. The performance of this responsibility involves:

(1) The maintenance of pest control and eradication activities of interstate significance by a party state at a level that would be reasonable for its own protection in the absence of the compact.

(2) The meeting of emergency outbreaks or infestations of interstate significance to not less an extent than would have been done in the absence of the compact.

(b) Whenever a party state is threatened by a pest or pathogen not present within its borders but present within another party state, or whenever a party state is undertaking or engaged in activities for the control or eradication of a pest or pathogen, and finds that control or eradication activities are or would be impracticable or substantially more difficult to accomplish because of failure of another party state to cope with infestation or threatened infestation, that state may request the governing board to authorize expenditures from the fund for eradication or control measures to be taken by one (1) or more of the other party states



at a level sufficient to prevent, or to reduce to the greatest practicable extent, infestation or reinfestation of the requesting state. Upon the governing board's authorization, the responding state or states shall take or increase any eradication or control measures as are warranted. A responding state shall use money available from the fund expeditiously and efficiently to assist in providing the protection requested.

(c) To apply for expenditures from the fund, a requesting state shall submit the following in writing:

(1) A detailed statement of the circumstances which occasion the request for the invoking of the compact.

(2) Evidence that the pest or pathogen on account of whose eradication or control assistance is requested constitutes a danger to an agricultural or forest crop, product, tree, shrub, grass, or other plant having a substantial value to the requesting state.

(3) A statement of the extent of the present and projected program of the requesting state and its subdivisions, including full information as to the legal authority for the conduct of the program or programs and the expenditures being made or budgeted for the program or programs, in connection with the eradication, control, or prevention of introduction of the pest or pathogen concerned.

(4) Proof that the expenditures being made or budgeted as detailed in subdivision (3) do not constitute a reduction of the effort for the control or eradication of the pest or pathogen concerned or, if there is a reduction, the reasons why the level of program detailed in subdivision (3) constitutes a normal level of pest control activity.

(5) A declaration as to whether, to the best of its knowledge and belief, the conditions that the requesting state believes require the invoking of the compact in the particular instance can be abated by a program undertaken with the aid of money from the fund in one (1) year or less, or whether the request is for an installment in a program which is likely to continue for a longer period.

(6) Other information the governing board requires consistent with the compact.

(d) The governing board or executive committee shall give due notice of any meeting at which an application for assistance from the fund is to be considered. The notice shall be given to the compact administrator of each party state and to the other officers and agencies as may be designated by the laws of the party states. The requesting state and any other party state are entitled to be represented and present evidence and argument at the meeting.

(e) Upon the submission as required by subsection (c) and any



1 other information that the governing board has or acquires, and
 2 upon determining that an expenditure of funds is within the
 3 purposes of and justified by the compact, the governing board or
 4 executive committee shall authorize support of the program. The
 5 governing board or executive committee may meet at any time or
 6 place to receive and consider an application. All determinations of
 7 the governing board or executive committee, with respect to an
 8 application, together with the reasons for the determination shall
 9 be recorded and subscribed in a manner that shows and preserves
 10 the votes of the individual members of the board or committee.

11 (f) A requesting state that is dissatisfied with a determination of
 12 the executive committee, upon notice in writing given within
 13 twenty (20) days of the determination with which it is dissatisfied,
 14 is entitled to receive a review of the determination at the next
 15 meeting of the governing board. Determinations of the executive
 16 committee are reviewable only by the governing board at one (1)
 17 of its regular meetings or at a special meeting held in a manner the
 18 governing board authorizes.

19 (g) Responding states required to undertake or increase
 20 measures under the compact may receive money from the fund,
 21 either at the time or times when the state incurs expenditures
 22 because of the measures, or as reimbursement for expenses
 23 incurred and chargeable to the fund. The governing board shall
 24 adopt and may amend or revise procedures for submission and
 25 payment of claims from the fund.

26 (h) Before authorizing the expenditure of money from the fund
 27 under an application of a requesting state, the fund shall ascertain
 28 the extent and nature of any timely assistance or participation that
 29 is available from the federal government and shall request the
 30 appropriate agency or agencies of the federal government for any
 31 available assistance and participation.

32 (i) The fund may negotiate and execute a memorandum of
 33 understanding or other appropriate instrument defining the extent
 34 and degree of assistance or participation between and among the
 35 fund, cooperating federal agencies, states, and any other entities
 36 concerned.

37 Sec. 7. The governing board may establish advisory and
 38 technical committees composed of state, local, and federal officials
 39 and private persons to advise the governing board concerning any
 40 of its functions. Any advisory or technical committee or any
 41 member or members of the committee may meet with and
 42 participate in the board's deliberations upon request of the
 43 governing board or executive committee. An advisory or technical
 44 committee may furnish information and recommendations
 45 concerning any application for assistance from the fund being
 46 considered by the board or committee and the board or committee



1 may receive and consider the same. However, any participant in a
 2 meeting of the governing board or executive committee held under
 3 section 6(d) of this chapter is entitled to know the substance of the
 4 advisory or technical committee's information and
 5 recommendations, at the time of the meeting if made before the
 6 meeting or as a part of the meeting or, if made after the meeting,
 7 not later than the time at which the governing board or executive
 8 committee makes its disposition of the application.

9 Sec. 8. (a) A party state may make application for assistance
 10 from the fund concerning a pest in a nonparty state. The
 11 application shall be considered and disposed of by the governing
 12 board or executive committee in the same manner as an
 13 application with respect to a pest within a party state, except as
 14 provided in this section.

15 (b) At or in connection with any meeting of the governing board
 16 or executive committee held under section 6(d) of this chapter a
 17 nonparty state is entitled to appear, participate, and receive
 18 information only to the extent as the governing board or executive
 19 committee may provide. A nonparty state is not entitled to review
 20 of any determination made by the executive committee.

21 (c) The governing board or executive committee shall authorize
 22 expenditures from the fund to be made in a nonparty state only
 23 after determining that the conditions in the state and the value of
 24 the expenditures to the party states as a whole justify the
 25 expenditures. The governing board or executive committee may set
 26 any conditions it considers appropriate concerning the expenditure
 27 of money from the fund in a nonparty state and may enter into an
 28 agreement or agreements with nonparty states and other
 29 jurisdictions or entities as it considers necessary or appropriate to
 30 protect the interests of the fund with respect to expenditures and
 31 activities outside of party states.

32 Sec. 9. (a) The fund shall submit to the executive head or
 33 designated officer or officers of each party state a budget for the
 34 fund for a period as may be required by the laws of that party state
 35 for a presentation to the party state's legislature.

36 (b) Each of the budgets must contain specific recommendations
 37 of the amount or amounts to be appropriated by each of the party
 38 states. The request for appropriations shall be apportioned among
 39 the party states as follows: one-tenth (0.1) of the total budget in
 40 equal shares and the remainder in proportion to the value of
 41 agricultural and forest crops and products, excluding animals and
 42 animal products, produced in each party state. In determining the
 43 value of the party states' crops and products, the fund may employ
 44 any source of information it believes presents the most equitable
 45 and accurate comparisons among the party states. Each of the
 46 budgets and requests for appropriations must indicate the source



or sources used in obtaining information concerning value of products.

(c) The financial assets of the fund shall be maintained in two (2) accounts to be designated respectively as the "operating account" and the "claims account". The operating account consists only of those assets necessary for the administration of the fund during the ensuing two (2) year period. The claims account must contain all money not included in the operating account and may not exceed the amount reasonably estimated to be sufficient to pay all legitimate claims on the fund for three (3) years. If the claims account has reached its maximum limit or would reach its maximum limit by the addition of money requested for appropriation by the party states, the governing board shall reduce its budget requests on a pro rata basis in a manner that keeps the claims account within its maximum limit. Any money in the claims account by virtue of conditional donations, grants, or gifts shall be included in calculations made under this subsection only to the extent that the money is available to meet demands arising out of the claims.

(d) The fund shall not pledge the credit of any party state. The fund may meet any of its obligations in whole or in part with money available to it under section 4(g) of this chapter. However, the governing board takes specific action setting aside the money before incurring any obligation to be met in whole or in part. Except where the fund makes use of money available to it under section 4(g) of this chapter, the fund shall not incur any obligation before the allotment of money by the party states adequate to meet the same. [NOTE: What does "the same" refer to?]

(e) The fund shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the fund are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the fund shall be audited yearly by a certified or licensed public accountant and report of the audit must be included in and become part of the annual report of the fund.

(f) The accounts of the fund must be open at any reasonable time for inspection by authorized officers of the party states and by any persons authorized by the fund.

Sec. 10. (a) The compact becomes effective when enacted into law by any five (5) or more states. After the compact becomes effective, the compact becomes effective as to any other state upon the state's enactment of the compact.

(b) A party state may withdraw from the compact by enacting a statute repealing the law enacting the compact, but a withdrawal does not take effect until two (2) years after the executive head of the withdrawing state gives notice in writing of the withdrawal to



1 the executive heads of all other party states. A withdrawal does not
 2 affect any liability incurred by or chargeable to a party state
 3 before the time of the withdrawal.

4 Sec. 11. This compact shall be liberally construed to effectuate
 5 the purposes of the compact. The provisions of the compact are
 6 severable and if any phrase, clause, sentence, or provision of this
 7 compact is declared to be contrary to the constitution of any state
 8 or of the United States or the applicability of the compact to any
 9 government, agency, person, or circumstance is held invalid, the
 10 validity of the remainder of the compact and its applicability to any
 11 government, agency, person, or circumstance is not affected
 12 thereby. If this compact is held contrary to the constitution of any
 13 party state the compact remains in full force and effect as to the
 14 remaining party states and in full force and effect as to the state
 15 affected as to all severable matters.

16 Sec. 12. Consistent with law and within available
 17 appropriations, the departments, agencies, and officers of Indiana
 18 may cooperate with the fund.

19 Sec. 13. (a) The commissioner of agriculture or the
 20 commissioner's designee shall serve as compact administrator for
 21 Indiana. The duties of the compact administrator are considered
 22 a regular part of the duties of the commissioner of agriculture.

23 (b) Copies of bylaws and amendments to the compact adopted
 24 under section 4(h) of this chapter must be filed with the compact
 25 administrator.

26 Sec. 14. Within the meaning of sections 6(b) and 8(a) of this
 27 chapter, a request or application for assistance from the fund may
 28 be made by the commissioner of agriculture or the commissioner's
 29 designee whenever the commissioner or commissioner's designee
 30 believes the conditions qualifying Indiana for assistance exist and
 31 it would be in the best interest of Indiana to make a request.

32 Sec. 15. The compact administrator is designated to receive
 33 notices under section 6(d) of this chapter.

34 Sec. 16. The department, agency, or officer expending or
 35 becoming liable for an expenditure on account of a control or
 36 eradication program undertaken or intensified under the compact
 37 shall have credited to the department's, agency's, or officer's
 38 account, in the state treasury the amount or amounts of any
 39 payments made to Indiana to defray the cost of the program, or
 40 any part of the program, or as reimbursement from the program.

41 Sec. 17. When the compact refers to the executive head, with
 42 reference to Indiana, the executive head is the governor.

